

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MF GLOBAL HOLDINGS LTD., AS PLAN
ADMINISTRATOR,

Plaintiff,

- against -

PRICEWATERHOUSECOOPERS LLP,

Defendants.

Case No. 14-cv-2197 (VM)(JCF)

**DECLARATION OF RYAN P. MONTEFUSCO IN SUPPORT OF
THE PLAN ADMINISTRATOR'S MOTIONS *IN LIMINE***

RYAN P. MONTEFUSCO, an attorney duly admitted to practice before this court, hereby declares under penalty of perjury pursuant to 28 U.S. Code § 1746 that the foregoing is true and correct:

1. I am an attorney associated with Kasowitz, Benson, Torres & Friedman LLP, counsel for Plaintiff MF GLOBAL HOLDINGS LTD., as PLAN ADMINISTRATOR (“Plan Administrator”) in this action. I submit this declaration to place before the Court true and correct copies of documents produced by the parties in discovery (some of which were marked as deposition exhibits), deposition transcripts, responses and objections to discovery requests, expert reports or publicly available documents in support of the Plan Administrator’s motions *in limine*.

2. Attached hereto as Exhibit 1 is a true and correct copy of the deposition transcript of Alexander Ioffe, dated June 9, 2015.

3. Attached hereto as Exhibit 2 is a true and correct copy of Abelow Exhibit 63, Bates stamped MFGH_FERBER_0009996.

4. Attached hereto as Exhibit 3 is a true and correct copy of Abelow Exhibit 64, Bates stamped MFGH_TINSLEY_0025588 to MFGH_TINSLEY_0025591.

5. Attached hereto as Exhibit 4 is a true and correct copy of Corzine Exhibit 144, Bates stamped 01195909 to 01195912.

6. Attached hereto as Exhibit 5 is a true and correct copy of Ioffe Exhibit 7, Bates stamped IB-0004792.

7. Attached hereto as Exhibit 6 is a true and correct excerpt of the Report of the Trustee for the SIPA Liquidation of MF Global Inc., dated June 4, 2012.

8. Attached hereto as Exhibit 7 is a true and correct excerpt of the Report of Investigation of Louis J. Freeh, Chapter 11 Trustee of MF Global Holdings LTD., et al., dated April 4, 2013.

9. Attached hereto as Exhibit 8 is a true and correct copy of PX 98, Bates stamped MFGH_FERBER_0011383 to MFGH_FERBER_0011386.¹

10. Attached hereto as Exhibit 9 is a true and correct copy of PX 91, Bates stamped 00102398 to 00102399.

11. Attached hereto as Exhibit 10 is a true and correct copy of Katz Ex. 1.

12. Attached hereto as Exhibit 11 is a true and correct copy of Plaintiff's Responses and Objections to Defendant PricewaterhouseCoopers LLP's Notice of Deposition of MF Global Holdings Ltd., As Plan Administrator, Pursuant to Federal Rule of Civil Procedure 30(b)(6).

13. Attached hereto as Exhibit 12 is a true and correct copy of the deposition transcript of Richard Katz, dated July 24, 2015.

14. Attached hereto as Exhibit 13 is a true and correct copy of Katz Ex. 6.

¹ Any reference herein to "PX" refers to plaintiff's trial exhibits.

15. Attached hereto as Exhibit 14 is a true and correct copy of Katz Ex. 6-A, Bates stamped MFGH-Admin-0006057 to MFGH-Admin-0006058.

16. Attached hereto as Exhibit 15 is a true and correct copy of Katz Ex. 6-B, Bates stamped MFGH-Admin-0006059 to MFGH-Admin-0006067.

17. Attached hereto as Exhibit 16 is a true and correct copy of the expert report of Timothy S. Lucas in this matter, dated September 21, 2015.

18. Attached hereto as Exhibit 17 is a true and correct copy of the expert report of Sandra Johnigan in this matter, dated September 21, 2015.

19. Attached hereto as Exhibit 18 is a true and correct copy of the expert report of Dr. Christopher L. Culp, Ph. D in this matter, dated September 21, 2015.

20. Attached hereto as Exhibit 19 is a true and correct copy of the rebuttal expert report of Dr. David K.A. Mordecai, Ph. D in this matter, dated November 20, 2015.

21. Attached hereto as Exhibit 20 is a true and correct copy of the Corrections to Expert Report of Christopher L. Culp, Ph. D. in this matter, dated January 14, 2017.

22. Attached hereto as Exhibit 21 is a true and correct copy of the Stipulation Concerning Expert Discovery in this matter, dated October 23, 2015.

23. Attached hereto as Exhibit 22 is a true and correct copy of DX 259, Bates stamped IB-0000027-001 to IB-0000030-002.

24. Attached hereto as Exhibit 23 is a true and correct copy of DX 264, Bates Stamped PwC_MF_SECUR_00498914.

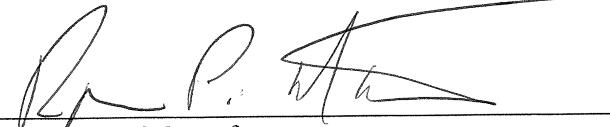
25. Attached hereto as Exhibit 24 is a true and correct copy of DX 266

26. Attached hereto as Exhibit 25 is a true and correct copy of DX 892.

27. Attached hereto as Exhibit 26 is a true and correct copy of DX 893.

28. Attached hereto as Exhibit 27 is a true and correct copy of DX 894.
29. Attached hereto as Exhibit 28 is a true and correct copy of DX 895.

Dated: January 20, 2017
New York, New York

By: 
Ryan P. Montefusco